**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**
**CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO.2611 OF 2004**
**IN**
**WRIT PETITION NO.2735 OF 2001**

Mahadeo Bhau Khillare & Ors. .. Applicants
V/s
State of Maharashtra & Ors. .. Respondents

Ms.Varsha Palav for the Applicants.
Mr.C.R.Sonawane, AGP for the Respondent Nos.1 to 3.

**CORAM: S.RADHAKRISHNAN & S.A.BOBDE, JJ.**
**DATE : 20.10.2004.**

**P.C.:**

1. Heard the learned Counsel for the Applicants and the learned AGP for the Respondent Nos 1 to 3. Rule. Rule is made returnable forthwith by consent.

2. By this Civil Application the Applicants are seeking to recall the order dated 10.6.2004 whereby the Writ Petition was dismissed in default. Perused the Civil Application. For the reasons stated therein sufficient cause is made out for recalling the order of dismissal and for restoring the Writ Petition. There is no case of inaction, negligence or want of bonafide on the part of the Applicants. Hence Civil Application is made absolute in terms of prayer clauses (b) and (c). Place the Writ Petition on board for final hearing on 6.12.2004.

**(S.RADHAKRISHNAN,J.)**

**(S.A.BOBDE,J.)**